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STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

Note by the Secretariat

Addendum

Contribution by the All-India Women's Conference

The attention of the Preparatory Committee is drawn to the attached contribution by the All-India Women's Conference, a non-governmental organization in consultative status (category II), entitled "Rights of women: an Indian perspective". The present document is an abstract of a paper which is due to be presented at the World Conference on Human Rights in Vienna.

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The paper attempts to asses the rights sanctioned by the Constitution of India to women and the extent to which they actually enjoy political,economic and social rights and are aware of these.

The women's movement in India emerged roughly in the 1880s with the formation of associations like the Sakhi Samiti in Calcutta (1882) and the Arya Mahila Samaj in Poona in the same year. These functioned at a local level but the pioneering work was done by four important national organisations: Bharati Stri Mahamandal (BSM) founded in 1910; National Council of Women in India (NCWI) founded in 1925 and All India Women's Conference founded in 1927. Women's Indian Association founded in 1917; These organisations took up issues like women's education, abolition of social evils such as purdah and child marriage, Hindu Law reform, equality of rights and opportunities for women and women's suffrage. The Indian women's movement worked for two goals:uplift of women, i.e. reforming social practices and equal rights for women. The strategies used by these bodies included making demands by organising public meetings, presenting views to members of legislatures and government officials, forming committees to investigate conditions, holding conferences to mobilise women.

Of these organisations the All India Women's Conference had the largest number of branches and membership Today, it has 500 branches and a membership of nearly one million.

Because of the large scale involvement of women in the freedom struggle and the pressure of women's organisations, the Indian Constitution guaranteed a large number of rights to women. Section 1 of the paper will deal with women and constitutional rights. Besides ensuring certain fundamental rights, laws have been enacted for protecting the interests of and giving prefential treatment to women. During the last three/four decades, a number of laws have been enacted/amended to ensure equality of status and opportunity for women. The legal rights of women in India may be examined at three levels - social, economic and political.

a) Social Laws - related to marraige, adoption, guardianship, abortion etc.

b) Economic Laws - right to property, inheritance, equal wages, maternity benefits, job security.

c) Political - right to vote, stand for office.

Section II will examine how far our women are aware or conscious of these rights. The three census reports of 1961, 1971, 1981 and the Report of the Committee on the Status of Women show that bigamy is still prevalent, child marraiges are still common, dowry is rampent. Violence against women is a serious problem. Denial of rights to women is mainly because the law has not succeeded in playing the role of social engineering and changing deep rooted social and religious attitudes. Data drawn from some surveys will be used to illustrate how far women, particularly rural women are aware of their social, economic and political rights. The main findings of the study will be summarised.

Section III will make some suggestions for bringing necessary changes -

a) Legal remedies - While several laws have been drafted with the aim of treating women on a par with men, laws have not been implemented. Courts have also been traditional while interpreting social laws. The Judiciary as well as police have to be sensetised to gender issues.

b) Social remedies - Voluntary organisations and mass media must promote legal literacy. Education and awareness programmes will help to make men and women conscious of injustice done to women and methods of seeking legal redress.

c) Economic remedies - Educational and vocational training will enable women to seek jobs and become economically independent.

Women in India have been given many rights after independence within the framework of the constitution but most of these legislative measures have remained only on paper because they are not implemented. The machinery for enforcement is either absent or weak or faulty. Unless this is rectified. equality of women cannot be realised. Commissions and committeess cannot really solve women's problems. What is urgently needed is education. Illiteracy and ignorance are the major hurdles in the advancement of women. Knowledge can make women aware of their rights and make them protest when these are denied.